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REMARKS

The June 29, 2007, Office action rejected claims 1-3 and objected to claims 4-13. To expedite prosecution of this case, this Amendment and Response amends claims 1-13, all without prejudice or disclaimer. Applicant reserves the right to pursue the subject matter of the original claims in co-pending applications. Support for the amendments may be found in the originally filed specification, claims and figures; no new matter has been introduced. In view of the amendments and remarks presented in this paper, reconsideration of the application is respectfully requested.

Claim Objections

In the June 29, 2007, Office action, the Examiner objected to claims 4-13 under 37 CFR 1.75© as being in improper form because a multiple dependent claim cannot depend from another multiple dependent claim. Claims 4-13 were not treated on the merits. To expedite prosecution of this case, Applicant has rewritten claims 4-13 so as to eliminate all of the multiple dependencies. Reconsideration and withdrawal of these objections to claims 4-13 are requested. Examination and allowance of claims 4-13 are further requested.

Claim Rejections

In the June 29, 2007, Office action, the Examiner rejected claims 1-3 6 under 35 USC 102(e) as being anticipated by EP 0 957 261 A2. For the following reasons, reconsideration and withdrawal of these rejections are requested.

Applicant has amended claim 1 to emphasize that the inlet metering valve of the claimed common rail fuel pump is operable: i) to open during the return stroke to permit fuel to be supplied to the pump chamber from a low pressure source, and ii) to close part way through the return stroke in order to meter the quantity of fuel that is supplied to the pump chamber during the return stroke. Applicant respectfully submits that this amendment finds full support in the originally filed claims, specification, or drawings. Claim 1, as amended, is distinct over the cited references because the prior art fails to disclose, teach or suggest an inlet metering valve that is operable: i) to open during the return stroke to permit fuel to be supplied to the pump chamber from a low pressure source, and ii) to close

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part way through the return stroke in order to meter the quantity of fuel that is supplied to the pump chamber during the return stroke.

Contrariwise, the components disclosed in EP 0 957 261 A2 are NOT part of a common rail fuel system at all. Moreover, the operation of those components are such that, while they may perform outlet metering of fuel that is to be supplied to a dedicated injector (see, e.g., EP 0 957 261 A2, paragraph 23), they do not perform inlet metering, as required in Applicant's amended claim 1. Accordingly, Applicant respectfully submits that claim 1, as amended, is allowable. Claims 2 and 3 depend from amended claim 1. Therefore, since claim 1, as amended, is allowable, claims 2 and 3 are also allowable. Reconsideration and allowance of claims 1-3 are requested.

CONCLUSION

In view of the foregoing, Applicant requests withdrawal of the objections to claims 4-13; substantive examination of claims 4-13; and withdrawal of the rejections of claims 1-3. Applicant respectfully submits that all of the pending claims fully comply with 35 U.S.C. §112 and are allowable over the prior art of record. No new matter is added. Reconsideration of the application and allowance of all pending claims is earnestly solicited. Should the Examiner wish to discuss any of the above in greater detail or deem that further amendments should be made to improve the form of the claims, the Examiner is invited to contact the undersigned at the Examiner's convenience.

Please charge any necessary fees, including any extension of time, or any other fee deficiencies to Delphi Technologies, Inc., Deposit Account No. 50-0831.

Respectfully submitted,

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